

NICHOLAS A. TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
MEGAN RACHOW
Nevada Bar No. 8231
Assistant United States Attorney
400 South Virginia Street, Suite 900
Reno, Nevada 89501
(775) 784-5438
Megan.Rachow@usdoj.gov

Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY BATTIATO,

Defendant.

3:19-cr-00037-MMD-CLB

**MOTION TO DISMISS AND
ORDER**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed hereon, the United States Attorney for the District of Nevada hereby moves to dismiss the indictment filed on July 18, 2019 [ECF No. 1], against Anthony Battiato, defendant herein, with prejudice as the defendant was prosecuted in another jurisdiction for the crime charged in the indictment..

Dated this 17th day of March, 2020.

Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Megan Rachow
MEGAN RACHOW
Assistant United States Attorney

1 **CERTIFICATE OF SERVICE**

2 It is hereby certified that pursuant to LCR 47-4 service of the foregoing **MOTION TO DISMISS**
3 **AND [PROPOSED] ORDER** was made by U.S. regular mail, addressed to the following:

4 ANTHONY SALVATORE BATTIATO
5 ID NO: 88600
6 WARM SPRINGS CORRECTIONAL CENTER
7 PO BOX 7007
8 CARSON CITY, NV 89702

9 Dated this 17th day of March, 2020.

10 By: /s/ Megan Rachow
11 MEGAN RACHOW
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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 UNITED STATES OF AMERICA,

3:19-cr-00037-MMD-CLB

6 Plaintiff,

7 v.

ORDER

8 ANTHONY BATTIATO,

9 Defendant.
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12 Leave of Court is granted for the filing of the foregoing motion to dismiss pursuant to Fed. R.
13 Crim. P. 48(a) with prejudice; and

14 IT IS THEREFORE ORDERED that the indictment against ANTHONY BATTIATO is hereby
15 DISMISSED WITH PREJUDICE.

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17 Dated this 17th day of March 2020.

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MIRANDA M. DU, CHIEF JUDGE
20 UNITED STATES DISTRICT COURT
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